

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ARIA DIAGNOSTICS, INC.,

No. C 11-06391 SI

Plaintiff,

ORDER RE SEALING

v.

SEQUENOM, INC.,

Defendant.

/

SEQUENOM, INC.,

Counterclaim Plaintiff,

v.

ARIA DIAGNOSTICS, INC.,

Counterclaim Defendant,

and

ISIS INNOVATION LIMITED,

Nominal Counterclaim Defendant.

/

Currently before the Court is the parties' stipulation and proposed order to allow Ariosa (plaintiff and counterclaim defendant, formerly known as Aria) to file its opposition to Sequenom's motion for a preliminary injunction and related declarations under seal. The stipulation does not comply with this Court's standing order and Civil Local Rule 79-5. In order to seek to file a document completely under seal, the filing party must submit a stipulation (or motion) and supporting declaration demonstrating why, for each specific document and the information contained therein, good cause exists to seal the whole document. *See* Civil Local Rule 79-5(b), (d). The stipulation and declaration cannot rely solely

1 on the parties' agreement to seal or the fact that some of the information referenced in a document has
2 been designated as confidential under the parties' protective order.

3 Similarly, in order to seek to file a document partially under seal, the filing party must submit
4 a stipulation (or motion) and declaration identifying the specific portions of the document sought to be
5 filed under seal and demonstrating that good cause exists to seal those portions of the document. Civil
6 Local Rule 79-5(c), (d). The stipulation and declaration cannot rely solely on the parties' agreement
7 to seal or the fact that some of the information referenced in a document has been designated as
8 confidential under the parties' protective order. The filing party must also comply with General Order
9 62, regarding efiling documents under seal.

10 Within five (5) days of the date of this Order, Ariosa must submit a stipulation (or motion) that
11 fully complies with this Court's standing order and Civil Local Rule 79-5.
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13 **IT IS SO ORDERED.**

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15 Dated: 5/17/12
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Susan Illston

SUSAN ILLSTON
United States District Judge